

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO

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In re POLYURETHANE FOAM : MDL Docket No. 2196  
ANTITRUST LITIGATION : Index No. 10-MD-2196 (JZ)

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This document relates to: :  
: :  
ALL CASES

**AMENDED NOTICE OF SUBPOENA**

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 45, the Direct Purchaser (Class) Plaintiffs, the Direct Action Plaintiffs, and the Indirect Purchaser (Class) Plaintiffs (“Plaintiffs”) have issued a subpoena for a deposition of **David Charak** at **Lewis Rice, 600 Washington Ave., Ste. 2500, St. Louis, MO 63101** on **March 13, 2014** at **10:00 a.m.** The subpoena is attached as Exhibit A. The testimony will be recorded by stenographic and videotaped means by a person authorized to administer oaths. The deposition shall continue from day-to-day until completed in accordance with the Federal Rules of Civil Procedure and the order of this Court. All parties are invited to attend.

Pursuant to the Court’s order at the October 24, 2012 hearing (ECF No. 436 at 77-78), Plaintiffs provide a brief description of the deponent, to the extent allowed by the protective order in this matter, as follows: employee of non-party scrap broker.

Dated: February 25, 2014

/s/ William A. Isaacson

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***Liaison Counsel for Direct Action Plaintiffs***

# Exhibit A

## UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

|  |   |                                 |
|--|---|---------------------------------|
| In re Polyurethane Foam Antitrust Litigation | ) |                                 |
| Plaintiff                                    | ) |                                 |
| v.   | ) | Civil Action No. 10-MD-2196(JZ) |
|  | ) |                                 |
| Defendant                                    | ) |                                 |

## SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: David Charak, II c/o David Helms, Lewis Rice, 600 Washington Ave., Ste. 2500, St. Louis, MO 63101

(Name of person to whom this subpoena is directed)

**Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

|  |                                       |
|--|---------------------------------------|
| Place: Lewis Rice<br>600 Washington Ave., Ste. 2500<br>St. Louis, MO 63101 | Date and Time:<br>03/13/2014 10:00 am |
|--|---------------------------------------|

The deposition will be recorded by this method: Videographic and stenographic means

**Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 02/25/2014

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Direct Purchaser (Class) Plaintiffs, Direct Action Plaintiffs, Indirect Purchaser (Class) Plaintiffs, who issues or requests this subpoena, are:

Robert G. Eisler, Esq., Grant &amp; Eisenhofer P.A., Wilmington, DE 19801, Ph.: (302) 622-7000, reisler@gelaw.com.

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).